

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CALVARY ALBUQUERQUE, INC,
STEFAN DAVID GRANT GREEN,
KEILAH ANNA GREEN, and H.P.G, a minor,

Plaintiffs,

v.

No. 1:23-cv-00486-KWR-KK

ANTONY BLINKEN,
U.S. Secretary of State,
U.S. DEPARTMENT OF STATE, *et al.*

Defendants.

ORDER GRANTING GOVERNMENT’S MOTION FOR EXTENSION

THIS MATTER comes before the Court upon the Government’s Motion for Extension of Time to File Response (Doc. 7). Having reviewed the parties’ pleadings and the relevant law, the Court finds that the motion is well taken, and therefore, is **GRANTED**.

Under the Federal Rules of Civil Procedure 6(b), the Court may extend the deadlines for “good cause.” *See, e.g., Utah Republican Party v. Herbert*, 678 F. App’x 697, 700 (10th Cir. 2017) (citations omitted); Fed. R. Civ. P. 6(b)(1)(A)–(B). Good cause “requires the moving party to show the deadline ‘cannot be met despite the movant’s diligent efforts.’ ” *Id.* at 701 (quoting *Gorsuch, Ltd., B.C. v. Wells Fargo Nat. Bank Ass’n*, 771 F.3d 1230, 1240 (10th Cir. 2014)).

The Court finds that the Government has established good cause for why it cannot meet the deadline. Because Plaintiff delayed in filing, the Court finds that there is no immediate threat to Plaintiff. *See e.g. Miller v. Lipinski*, No. 20-CV-02600-CMA-MEH, 2020 WL 5096018, at *1 (D. Colo. Aug. 28, 2020); *O.L. v. City of El Monte*, No. 2:20-cv-00797-RGK-JDE, 2020 WL 2477686, at *2 (C.D. Cal. Mar. 2, 2020); *Mbaku v. Bank of Am., Nat. Ass’n*, No. 12-cv-00190-

PAB, 2012 WL 263095, at *1 (D. Colo. Jan. 30, 2012) (citing *Wangson Biotechnology Group, Inc. v. Tan Tan Trading Co., Inc.*, 2008 WL 4239155, at *6 (N.D. Cal. Sep.11, 2008) (plaintiff's "delay in requesting a TRO militates against its issuance. Parties spurred on by the threat of or actual immediate irreparable harm, file for TROs as quickly as possible to head or stave it off. Here, in stark contrast, [plaintiff] was aware of defendants' alleged counterfeiting activities since July 2008, but did not file suit until September 2008.")).

Therefore, the Government's Motion for Extension of Time to File a Response (**Doc. 7**) is **GRANTED**.

IT IS SO ORDERED.



KEA W. RIGGS
UNITED STATES DISTRICT JUDGE